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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/018,455	03/29/2002	Klaus Beck	2101.GLE.PT	2537

7590 03/30/2005

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136 South Main Street,
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EXAMINER

BRITTAIN, JAMES R

ART UNIT	PAPER NUMBER
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3677

DATE MAILED: 03/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/018,455

Applicant(s)

BECK ET AL.

Examiner

James R. Brittain

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 November 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 15-19, 21-32, 34, 35, 37-41 and 43-51 is/are pending in the application.
- 4a) Of the above claim(s) 16-19, 22, 24, 30, 31, 35, 37-41, 43, 47 and 49 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 34, 44-46, 48, 50 and 51 is/are allowed.
- 6) ☒ Claim(s) 15, 21, 25-29 and 32 is/are rejected.
- 7) ☒ Claim(s) 23 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION***Election/Restriction***

Claims 16-19, 22, 24, 30, 31, 35, 37-41, 43, 47 and 49 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected species, there being no allowable generic or linking claim. Applicant timely traversed the restriction (election) requirement in Paper No. 12. Upon allowance of all generic or linking claims, the rejoinder of the withdrawn claims is possible. Since claim 15, a generic claim, was not amended to include allowable subject matter, all claims drawn to the non-elected species remain withdrawn.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. §103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 15, 21, 25-29 and 32 are rejected under 35 U.S.C. §103(a) as being unpatentable over Wakayoshi (GB 2139692) in view of DE 69114045.5 and JP 8-61350.

Wakayoshi (figures 4, 6-11, 14) teaches a screw connection for at least two hinge parts, comprising a screw configured for interconnecting the at least two hinge parts, wherein the hinge parts engage one inside the other and have an upper hinge lobe 1, a lower hinge lobe 1', and at least one middle hinge lobe 2, the screw having a screw head 6 and a screw shank 7 that extends through a first through opening in the upper hinge lobe and extends through a second through opening in the middle hinge lobe, with a thread permitting the screw shank to be screwed into the lower hinge lobe, and comprising a sleeve 4 that surrounds the screw shank, has elastic

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properties, and interacts with the upper and middle hinge lobes when the screw is in a screwed-in state, whereby the diameter of the second through opening is less than or equal to the diameter of the first through opening, and the screw has at least one bearing surface for contacting the sleeve. The difference is that the screw shank lacks having an annular collar that, in the screwed-in state is situated in the middle hinge lobe, the annular collar providing the at least one engaging surface to retain and support the sleeve there against and the collar acting as a guide collar for insertion of the screw into the second through opening in the middle lobe. However, DE 69114045.5 (figures 1, 2) teaches a similar screw fastener functional inherently as a hinge wherein the sleeve 12 is held against an engaging surface formed by the annular collar 11 so as to retain and support the sleeve there against. The sleeve only extends through the portion 1 that could rotate and is analogous to the middle lobe of Wakayoshi. The annular collar 11 maintains the sleeve upon the screw shaft. Additionally, JP 8-61350 (figures 1, 5) teaches a screw connection for two hinge parts wherein the screw has a collar 5 maintaining the sleeve 7 in position and the collar 5 also acts as a guide sleeve into the aperture in the middle lobe 24 so that the screw cannot tilt when force is applied to the hinge. As it would be advantageous to structure of Wakayoshi to be assured that the sleeve would remain assembled on the screw shaft and that the screw cannot tilt when force is applied to the hinge, it would have been obvious to modify the hinge of Wakayoshi so that there is an annular collar to support and engage the sleeve as suggested by DE 69114045.5 and to position the annular collar at the middle lobe in the tightened state as suggested by JP 8-61350 so as to guide the screw in the middle lobe.

As to claim 21, the sleeve 12 of DE 69114045.5 covers the engaging and supporting surface of the annular collar 11.

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In regard to claim 25, the sleeve 12 of DE 691 14045.5 engages the underside of the screw head, as does the sleeve of Wakayoshi.

As to claim 26, the diameter of the screw head as taught by Wakayoshi is less than the diameter of the first through opening (figure 9).

In regard to claim 27, the sleeve material of the fastener of Wakayoshi is pressed into the annular space between the screw shank and the second through opening.

As to claim 28, Wakayoshi suggests the sleeve material is pressed between a cylindrical projection forming the first part of the screw shank 7 extending from the underside of the screw head and the first through opening.

In regard to claim 29, DE 691 14045.5 suggests a longitudinally extending structure 9 in the screw that would inhibit rotation of the sleeve 12, a desirable result applicable to the fastener of Wakayoshi.

As to claim 32, the second through opening taught by Wakayoshi is annular.

Allowable Subject Matter

Claims 34, 44-46, 48, 50 and 51 are allowed.

Claim 23 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

Applicant's arguments have been fully considered but are rendered moot in view of the new ground of rejection.

Conclusion

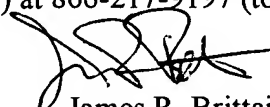
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to James R. Brittain whose telephone number is (703) 308-2222.

The examiner can normally be reached on M-F 5:30-2:00..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J. J. Swann can be reached on (703) 306-4115. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



James R. Brittain
Primary Examiner
Art Unit 3677

JRB